

STATEMENT OF BASIS (AI No. 588)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0119547 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Bengal Pipeline Company, LLC
Baton Rouge Tank Farm
1476 Highway 61
Jackson, Louisiana 70748

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

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DATE PREPARED: April 27, 2007

1. PERMIT STATUS

A. Reason For Permit Action: Initial issuance of an Louisiana Pollutant Discharge Elimination System (LPDES) permit for a five year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46*.

- * In order to ease the transition from NPDES to LPDES permits, dual regulatory references are provided where applicable. The LAC references are the legal references while the 40 CFR references are presented for informational purposes only. In most cases, LAC language is based on and is identical to the 40 CFR language. 40 CFR Parts 401 and 405-471 have been adopted by reference at LAC 33:IX.4903 and will not have dual references. In addition, state standards (LAC Chapter 11) will not have dual references.

LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.4901, 4903, and 2301.F.

B. NPDES permit - NPDES permit effective date: N/A
NPDES permit expiration date: N/A

* EPA has not retained enforcement authority*

C. LPDES permit - LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: February 18, 2004. Additional information was received on December 12, 2006 and March 26, 2007.

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2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY – refined petroleum product pipeline and breakout tank farm

The discharges from this site include accumulated stormwater from diked areas of tank farms and from piping manifold and pump stations, fire systems test water, ballast water, excavation dewatering, equipment washwater, and treated sanitary wastewater.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: III
4. SIC code: 4613

C. LOCATION – 1476 Highway 61 East Feliciana Parish Latitude 30°43'08", Longitude 91°16'25"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: the combined discharge of stormwater, equipment washwater, dewatering wastewater, and fire systems test water

Treatment: combined discharge is routed to the retention pond

Location: at the point of discharge from the southeast corner of Retention Pond No. 1 prior to mixing with other waters (Latitude 30°42'46.3", Longitude 91°16'29.7").

Flow: Intermittent flow

Discharge Route: from the outfall located at the southern property boundary line of the facility to Sandy Creek, thence to Thompson Creek and thence to the Mississippi River

Outfall 002

Discharge Type: the combined discharge of stormwater runoff from from Tank Farm No. 3, the pipeline manifolds and meter stations, washwater from general housekeeping, and dewatering wastewater

Treatment: combined discharge is routed to the retention pond

Location: southeastern property boundary line of the facility prior to mixing with other waters (Latitude 30°42'39", Longitude 91°16'51").

Flow: Intermittent flow

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Discharge Route: from the outfall located at the southeastern property boundary line of the facility to an unnamed drainage ditch to Sandy Creek to Thompson Creek and thence to the Mississippi River

4. RECEIVING WATERS

STREAM – Sandy Creek, Thompson Creek, thence to the Mississippi River

BASIN AND SEGMENT – Mississippi River Basin, Segment 070502

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife

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5. PROPOSED EFFLUENT LIMITS

Outfall 001 - the combined discharge of stormwater, equipment washwater, dewatering wastewater, and fire systems test water

Parameter	Daily Maximum	Frequency	Sample Type	Regulatory Basis
Flow	Report	Quarterly	Estimate	LAC 33:IX.2707.I.1.b
TOC	50 mg/L	Quarterly	Grab	BPJ; permitted facilities with similar operations; current storm water guidance
Oil & Grease	15 mg/L	Quarterly	Grab	BPJ; permitted facilities with similar operations; current storm water guidance
Total BTEX	250 ug/L	Monthly	Grab	BPJ; permitted facilities with similar operations; current LAG300000
Lead	50 ug/L	Monthly	Grab	BPJ; permitted facilities with similar operations; current LAG300000
pH	6.0-9.0 S.U.	Quarterly	Grab	LAC 33:IX.1113.C.1

Treatment: No treatment

Monitoring Frequency: a monitoring frequency of quarterly has been established for TOC, oil & grease, and pH. A monitoring frequency of monthly has been established for Total BTEX and lead. This is consistent with permitted facilities with similar operations and current storm water guidance.

Outfall 002 - the combined discharge of storm water, housekeeping washwater, and dewatering wastewater

Parameter	Daily Maximum	Frequency	Sample Type	Regulatory Basis
Flow	Report	1/month	Estimate	LAC 33:IX.2707.I.1.b
TOC	50 mg/L	Quarterly	Grab	BPJ; permitted facilities with similar operations; current storm water guidance
Oil & Grease	15 mg/L	Quarterly	Grab	BPJ; permitted facilities with similar operations; current storm water guidance

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Parameter	Daily Maximum	Frequency	Sample Type	Regulatory Basis
Total BTEX	250 ug/L	Monthly	Grab	BPJ; permitted facilities with similar operations; current LAG300000
Lead	50 ug/L	Monthly	Grab	BPJ; permitted facilities with similar operations; current LAG300000
pH	6.0-9.0 S.U.	Quarterly	Grab	LAC 33:IX.1113.C.1

Treatment: No treatment

Monitoring Frequency: a monitoring frequency of 1/quarter has been established for TOC oil & grease, and pH parameters. A monitoring frequency of monthly has been established for Total BTEX and lead. This is consistent with permitted facilities with similar operations and current storm water guidance

Outfall 003 - treated sanitary wastewater

Parameter	Weekly Average	Frequency	Sample type	Regulatory Basis
Flow	Report	1/ 6 months	Estimate	LAC 33:IX.2707.1.1.b
BOD ₅	45 mg/L	1/ 6 months	Grab	BPJ; permitted facilities with similar operations; Sanitary General Permit
TSS	45 mg/L	1/ 6 months	Grab	BPJ; permitted facilities with similar operations; Sanitary General Permit
Fecal Coliform	400 colonies per 100 ml	1/ 6 months	Grab	BPJ; permitted facilities with similar operations; Sanitary General Permit
pH	6.0-9.0	1/6 months	Grab	LAC 33:IX.1113.C.1

Treatment: rock reed filter

Monitoring Frequency: a monitoring frequency of 1/6 months has been established for all parameters. This is consistent with permitted facilities with similar operations and the LPDES Class I Sanitary General Permit, LAG530000.

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6. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

There are no open enforcement actions on Bengal Pipeline Company, Baton Rouge Tank Farm

B. Inspections

No inspections have been conducted.

C. DMR Review/Excursions

Initial permit; no DMRS submitted

7. "IT" QUESTIONS - APPLICANT'S RESPONSES

This is a new minor facility. IT questions were not required.

8. ENDANGERED SPECIES

The receiving waterbodies, Subsegment Nos. 070502 of the Mississippi River Basins, respectively, have been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon (070502) which is listed as endangered and threatened species. This draft permit has been submitted to the FWS for review in accordance with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and after consultation with FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as an aquatic habitat. The more stringent of technology and water quality based limits (as applicable) have been applied to ensure maximum protection of the receiving water.

9. HISTORIC SITES

The discharge is from a new facility. There should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

10. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to permit the discharges described in the application.

11. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing

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to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

12. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

The SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see narrative requirements for the AI).

13. 303(d) WATERBODY IMPAIRMENTS

Outfalls 001, 002, and 003 include discharges of storm water runoff, dewatering, equipment washwater, fire systems test water, and treated sanitary wastewater to an unnamed drainage ditch to Sandy Creek, thence to Thompson Creek, and thence to the Mississippi River. Subsegment 070502, Thompson Creek, is listed on LDEQ's Final 2004 303(d) List as impaired for pathogen indicators. To date, no Total Maximum Daily Loading (TMDL) assessments have been completed for this subsegment. The TMDL Assessments for this subsegment are scheduled to be completed by 2010-2011. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Mississippi River Basin, those suspected causes for impairment which are not directly attributed to the petroleum pipeline point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. The discharge of pathogen indicators at levels above state water quality standards is attributed to the discharge of improperly treated sanitary wastewater. The discharge of sanitary wastewater from this petroleum pipeline facility is treated; therefore, fecal coliform effluent limitations are established in the draft permit.